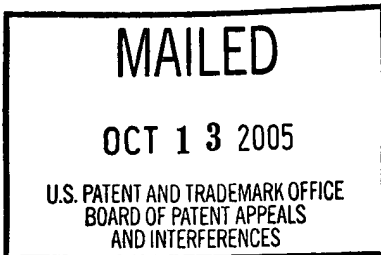


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte YOICHI OKAMOTO and
YOSHIHIDE KOHNO

Application No. 09/398,006

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on August 26, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Information Disclosure Statements (IDSS) were filed on September 16, 1999, January 16, 2001 and July 22 2004. It is not apparent from the record that the examiner properly considered the IDSS submitted nor notified appellants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. The IDSS of September 16, 1999 and January 16, 2001 were initialed however, neither was signed nor dated. The July 22, 2004 IDS was not initialed, signed nor dated. Proper consideration of the IDSS is necessary to process the appeal.


Application 09/398,006

Accordingly, it is

ORDERED that the application is returned to the Examiner for

1) consideration of the above mentioned IDSS, 2) written notification to appellant regarding the result of the examiner's consideration, and 3) for such further action as may be appropriate..

BOARD OF PATENT APPEALS
AND INTERFERENCES



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